

James J. Rufo, Esq.  
Todd S. Cushner, Esq.  
Cushner & Associates, P.C.  
*Attorneys for Debtor and/or Debtor-in-Possession*  
399 Knollwood Road Suite 205  
White Plains, NY 10603  
T: 914.600-5502 / F: 914.600-5544  
[todd@cushnerlegal.com](mailto:todd@cushnerlegal.com) / [jrufo@cushnerlegal.com](mailto:jrufo@cushnerlegal.com)

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
IN RE:

CHAPTER 11

BLACK AND WHITE STRIPES, LLC,

CASE No. 20-12439 (MG)

DEBTOR  
-----X

**APPLICATION FOR ORDER APPROVING RETENTION OF THE LAW  
OFFICE OF CUSHNER & ASSOCIATES, P.C. AS ATTORNEYS FOR  
THE DEBTOR AND DEBTOR-IN-POSSESSION**

**TO: HONORABLE MARTIN GLENN  
UNITED STATES BANKRUPTCY JUDGE:**

The Application of Black and White Stripes, LLC, the Debtor and/or Debtor-in-Possession (the "Debtor" and/or "Debtor-in-Possession"), (for its application to retain the Law Offices of Cushner & Associates P.C. (the "Firm") respectfully represents:

1. On October 15, 2020, the Debtor filed a Chapter 11 petition.
2. The Debtor continues to operate and manage its business affairs.
3. No Committee of Unsecured Creditors has been appointed.
4. No Chapter 11 trustee has been appointed.
5. The Debtor needs to employ counsel in this bankruptcy case. Accordingly, the

Debtor requests that the Law Offices of Cushner & Associates P.C. be retained as its attorney.

This firm has experience in the field of insolvency law, and it is qualified to act as Debtor's attorneys and to represent Debtor as the Debtor and Debtor-in-Possession in this bankruptcy case.



6. The professional service that the Firm will render include the following:
  - a. Advising the Debtor concerning the conduct of the administration of this bankruptcy case;
  - b. Preparing all necessary applications and motions as required under the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Bankruptcy Rules;
  - c. Preparing a disclosure statement and plan of reorganization; an
  - d. Performing all other legal services that are necessary to the administration of the case.

7. To the best of the Debtor's knowledge, Cushner & Associates, P.C. has no connection with the Debtor's creditors or any other party in interest or their respective attorneys.

8. The Debtor thinks that Cushner & Associates P.C. is a "disinterested person" as the term is defined in Bankruptcy Code Section 101(14) in that the firm (a) is not a creditor, equity security holder or insider of the Debtor; (b) is not and was not an investment banker for any outstanding security of the Debtor; (c) has not been within three years before the date of the filing of the Debtor's petition an investment banker for a security of the Debtor, or an attorney for such investment banker in connection with the offer, sale, issuance of a security of the Debtor; (d) is not and was not within two years before the date of the filing of the Debtor's petition a director, officer or employee of the Debtor or an investment banker specified in parts (b) or (c) of this paragraph; and (e) does not have an interest materially adverse to the interest of the estate or of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the Debtor or an investment banker specified in parts (b) or (c) of this paragraph, or for any other reason.



9. The Debtor desires to retain the firm as her attorney. The hourly rates typically charged by Cushner & Associates P.C. are as follows:

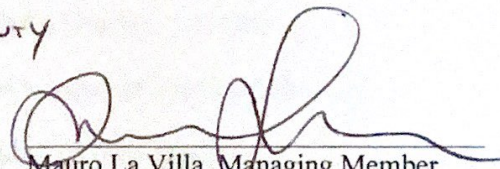
- a. Todd S. Cushner, Esq. Owner/Senior Attorney: \$500.00 per hour
- b. James J. Rufo, Esq. associate attorney: \$350.00 per hour
- c. Charles A. Higgs, Esq. Of Counsel: \$350.00 per hour
- d. Paralegals: \$200.00 per hour

10. The Debtor has paid Cushner & Associates P.C. a total sum of \$10,217.00 in connection with the commencement of this Chapter 11 bankruptcy with \$8,500.00 being applied to attorneys' fees and \$1,717.00 being disbursed for the chapter 11 filing fee as Cushner & Associates, P.C. reserves their right to petition the Court in the future for fees.

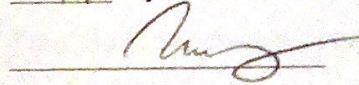
11. No previous application for the relief sought herein has been made.

**WHEREFORE**, the Debtor respectfully requests that an Order be entered authorizing it to retain the Law Offices of Cushner & Associates P.C. pursuant to a general retainer to represent it in its Chapter 11 case and to perform all of the services set forth in this Application and for such other and further relief as the Court deems just and proper.

Dated: ~~White Plains, New York~~ KINGS COUNTY  
October 19, 2020

  
Mauro La Villa, Managing Member  
Black and White Stripes, LLC  
Debtor and/or debtor-in-possession

Sworn to before me on this  
19 day of October 2020

  
\_\_\_\_\_  
Notary Public

MOSES GANTZ  
Notary Public, State of New York  
No. 01GA6320998  
Qualified in Kings County  
Commission Expires March 16, 2023